

## Ken Ward

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**From:** DEP FOIA <DEPFOIA@wv.gov>  
**Sent:** Tuesday, September 4, 2018 4:24 PM  
**To:** kward@wvgazetteemail.com  
**Subject:** RE: FOIA Request #2018-08-116

Correct. There are no documents in the DEP's possession that fulfill any part of this request.

Terry Fletcher  
Public Information Specialist - FOIA Officer

West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

Phone: 304-926-0499 ext. 1641

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**From:** Ken Ward [mailto:kward@wvgazetteemail.com]  
**Sent:** Tuesday, September 4, 2018 4:15 PM  
**To:** DEP FOIA <DEPFOIA@wv.gov>  
**Subject:** RE: FOIA Request #2018-08-116

Thanks for your response.

Just to clarify – is DEP saying it doesn't have any records, as opposed to saying whatever records the agency has are exempt from disclosure?

Ken Ward Jr.  
Staff Writer  
The Charleston Gazette-Mail  
1001 Virginia St., East  
Charleston, W.Va. 25301  
(304) 348-1702  
Fax: (304) 348-1233

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Secure email to [kenwardjr@protonmail.com](mailto:kenwardjr@protonmail.com)

<http://wvgazetteemail.com>.

Read my blog, Coal Tattoo at <http://blogs.wvgazetteemail.com/coalattoo/> and follow me on Twitter, <http://twitter.com/Kenwardjr>  
And check out Sustained Outrage, a Gazette watchdog journalism blog, <http://blogs.wvgazetteemail.com/watchdog/>

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**From:** DEP FOIA <DEPFOIA@wv.gov>  
**Sent:** Tuesday, September 4, 2018 3:48 PM  
**To:** [kward@wvgazetteemail.com](mailto:kward@wvgazetteemail.com)  
**Subject:** RE: FOIA Request #2018-08-116

Mr. Ward,  
Concerning your recent FOIA Request, the WV DEP has no responsive documents.

Regards -

Terry Fletcher  
Public Information Specialist - FOIA Officer

West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

Phone: 304-926-0499 ext. 1641

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**From:** Ken Ward [<mailto:kward@wvgazettemail.com>]  
**Sent:** Monday, August 27, 2018 12:24 PM  
**To:** DEP FOIA <[DEPFOIA@wv.gov](mailto:DEPFOIA@wv.gov)>  
**Subject:** FOIA on Justice Companies

Dear DEP FOIA,

Earlier this month, Secretary Caperton appeared at a press conference with Gov. Jim Justice and commented on the reclamation debt concerning the governor's family's mining operations.

Please provide us with any and all documents in your agency's custody concerning any resolution made in the last six months regarding reclamation debt owned by the governor's family's companies, including but not limited to TAMS Management and Kentucky Fuels.

This request is meant to include, but not be limited to, any copies of agreements resolving those debts, any records indicating the amount of that debt, any documents concerning the amounts paid to resolve the debt, and any correspondence among DEP officials, the companies involved, and the governor's office or the Tax Department.

Thanks,

Ken.

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## Ken Ward

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**From:** DEP FOIA <DEPFOIA@wv.gov>  
**Sent:** Monday, August 27, 2018 12:47 PM  
**To:** kward@wvgazetteemail.com  
**Subject:** RE: FOIA Request #2018-08-116

Hello:

This letter is to acknowledge that the West Virginia Department of Environmental Protection's (DEP) Public Information Office received your Freedom of Information Act Request (FOIA) on August 27, 2018. Your request has been sent to the appropriate office(s) within our agency and you will be notified as to when you may review/copy/receive the requested information.

Information in agency files is available for public inspection. However, some material may be exempt from disclosure under the West Virginia Freedom of Information Act, Chapter 29B.

DEP also provides an informational service to the public. Visitors to the agency's website can subscribe to both a listing of permit actions open to public comment and updates on DEP news and events. To subscribe to these e-mail notifications, go to <http://www.dep.wv.gov/insidedep/Pages/DEPMailingLists.aspx>. **Please submit all FOIA's to [depfoia@wv.gov](mailto:depfoia@wv.gov).**

There is no charge to submit a FOIA request. However, there are charges associated with copying the requested information. The more common fees include \$0.25 per page for paper copies and \$10 per disc for electronic copies saved to CD/DVD. If you need further assistance, please contact me at 304-926-0499 ext. 1641.

Regards,

Terry Fletcher  
Public Information Specialist - FOIA Officer

West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

Phone: 304-926-0499 ext. 1641

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